

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,

Criminal No. 07-357 (DSD/SRN)

Plaintiff,

v.

**O R D E R**

Richard James Gambino (01),

Defendant.

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Andrew Winter, Office of the United States Attorney, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for Plaintiff United States of America

Paul Applebaum, Applebaum Law Office, 332 Minnesota Street, Suite W1610, St. Paul, Minnesota 55101, for Defendant Richard James Gambino

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections have been filed to that Report and Recommendation in the time period permitted. Accordingly, based on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Defendant Richard James Gambino's Motion to Suppress Statement (Doc. No. 44) is **DENIED**.

Dated January 23, 2008

s/David S. Doty  
David S. Doty, Judge  
United States District Court